



U.S. Department of the Interior
Office of Inspector General

ADVISORY REPORT

**RESOURCE ADVISORY COUNCILS,
RANGELAND MANAGEMENT PROGRAM,
BUREAU OF LAND MANAGEMENT**

**REPORT NO. 98-I-646
SEPTEMBER 1998**



United States Department of the Interior

OFFICE OF INSPECTOR GENERAL
Washington, D.C. 20240

SEP 21 1998

ADVISORY REPORT

Memorandum

To: Director, Bureau of Land Management

From: Robert J. Williams *Robert J. Williams*
Assistant Inspector General for Audits

Subject: Advisory Report on the Resource Advisory Councils, Rangeland Management Program, Bureau of Land Management (No. 98-I-646)

INTRODUCTION

This report presents the results of our audit of the Resource Advisory Councils of the Bureau of Land Management's Rangeland Management Program. The original objective of the audit was to determine whether the Bureau had effectively implemented land use decisions during fiscal years 1996, 1997, and 1998 (through February) to improve rangeland conditions. However, effective August 21, 1995, the Bureau revised its grazing regulations to provide fundamental standards and guidelines for assessing rangeland health. At the time of the audit, these standards and guidelines had not been implemented. Accordingly, we deferred our audit of rangeland conditions until the standards and guidelines were fully implemented. During the entrance conference on October 30, 1997, the Bureau requested that we revise our objective to review the effectiveness of the Resource Advisory Councils,' which were established to assist the Bureau in developing the new standards and guidelines and in advising the Bureau on land use policy issues.

'The Code of Federal Regulations (43 CFR 1784) states that Resource Advisory Councils will consist of members who have diverse interests that provide for public participation in the preparation and execution of plans and programs for the management of public lands.

BACKGROUND

The Bureau of Land Management is responsible for managing, protecting, and improving about 260 million acres of public land in the western states, including about 166 million acres of rangeland. The Bureau's Rangeland Management Program involves managing rangeland ecosystems to ensure their health, natural diversity, and long-term productivity. Rangeland management activities include administering livestock grazing permits, supporting wildlife habitats, serving wild horse and burro needs, promoting watershed health, and maintaining and improving the condition of rangelands to serve a variety of uses. The rangelands provide forage for about 3.7 million livestock (cattle and sheep) and 42,000 wild horses and burros annually.

The basic authority for the Bureau's livestock grazing program was established by the Taylor Grazing Act of 1934, as amended, which was enacted, in part, to prevent overgrazing and soil deterioration on public rangelands and to provide for the orderly use, improvement, and development of public rangelands. The Federal Land Policy and Management Act of 1976 requires the Secretary of the Interior to prepare and maintain an inventory of all public lands and their resources. This inventory is to be kept current to reflect changes in conditions. Further, the Public Rangelands Improvement Act of 1978 required the Bureau to include the trend in rangeland condition to be maintained as part of the inventory of public lands. The Bureau based its early inventories on the amount of forage that was available to sustain livestock and classified rangelands as excellent, good, fair, or poor according to the available forage. By 1980, the emphasis on inventorying public land had shifted from a forage-based method to an ecological-based method. As such, rangelands were reclassified according to the percentage of native plant species, or the potential natural community, that each rangeland supported. However, the forage-based and the ecological-based classifications were not comparable, a condition that impeded the Bureau's ability to complete the inventory process and determine the trend in the condition of public rangelands, as required by the Federal Land Policy and Management Act of 1976 and the Public Rangelands Improvement Act of 1978. As of fiscal year 1996, the Bureau had inventoried 126 million of the 166 million acres of public rangelands, consisting of 86 million acres using ecological-based data and 40 million acres using forage-based data. Four of the 14 members of the National Research Council's² Committee on Rangeland Classification told us that they believed the Bureau should continue to gather ecological site data for the remaining 80 million acres of public rangeland and use independent organizations that have expertise in rangeland management to establish an acceptable methodology for classifying the condition of the rangelands. For example, in 1994, the National Research Council published "Rangeland Health-New Methods to Classify, Inventory, and Monitor Rangelands," which recommended that standardized indicators and methods for inventorying rangeland health be established. The publication stated:

²Members of the National Research Council are drawn from the Councils of the National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine.

An agreed-to standard that can be used to determine whether the capacity of these rangelands to produce commodities and satisfy values is being conserved, degraded, or improved is needed. The lack of a consistently defined standard for acceptable conditions of rangeland ecosystems is the most significant limitation to current efforts to assess rangelands. The lack of such an agreed-to standard has and continues to confuse the public, the U.S. Congress, ranchers, and range scientists themselves.

Effective August 21, 1995, the Bureau revised its grazing regulations contained in the Code of Federal Regulations (43 CFR 1780 and 4 100) and on August 30, 1996, issued Instruction Memorandum No. 96-172, "Implementing Standards of Rangeland Health and Guidelines for Grazing Management," to implement the revised regulations. Under the revised regulations, the Bureau's State Directors, in consultation with Resource Advisory Councils, are responsible for developing and amending state or regional standards and guidelines to address the basic principles³ needed to help achieve healthy, sustainable rangelands. In addition, the revised regulations included "fallback standards and guidelines" that should be used until state or regional standards and guidelines are completed.

The revised grazing regulations also established Resource Advisory Councils to assist the Bureau in developing rangeland standards, in preparing and implementing land use plans, and in establishing other long-range plans and management priorities. The Council members are appointed by the Secretary of the Interior, with membership balanced among three interest groups: commodity industries, recreational and environmental interests, and local area interests. All members of a Council are required by the Code (43 CFR 1780) to attend a course of instruction in the management of rangelands that has been approved by a Bureau State Director. As of February 1998, there were 24 Resource Advisory Councils representing 13 states (see the Appendix).

SCOPE

We reviewed the activities of the 24 Resource Advisory Councils in 13 states from their inception in September 1995 through February 1998 and of the Wyoming Resource Advisory Council from inception to 1996, when it was not rechartered. Our review included attending a standards and guidelines implementation workshop hosted by the Bureau in Denver, Colorado, and Resource Advisory Council meetings in Las Vegas, Nevada, and Montrose, Colorado. We also visited the Bureau's Nevada State Office, Carson City and Winnemucca field offices, and its National Business Center in Denver. In addition, we reviewed the Bureau's "National Rangeland Inventory, Monitoring and Evaluation Report, Fiscal Year 1996" and the National Research Council's "Rangeland Health, New Methods to Classify, Inventory, and Monitor Rangelands." We interviewed 88 Council members, including original members who had been reappointed, and new members from 14 states, including

³These factors are watershed health; nutrient cycling and energy flow; water quality; habitat for endangered, threatened, proposed, candidate, or special status species; and habitat quality for native plant and animal populations and communities.

Wyoming, to obtain their opinions on the (1) effectiveness of the Resource Advisory Councils; (2) representation of interest groups on the Councils; (3) ability to reach consensus on major land use policy issues; and (4) cooperation of the Bureau, particularly the Bureau's responsiveness to their concerns. Further, we interviewed members of the National Research Council and Bureau program personnel regarding the effectiveness of the Councils. We also viewed an interactive satellite broadcast between Resource Advisory Council members and the Secretary of the Interior in conjunction with a Bureau publication titled "Partners Across the West-Resource Advisory Councils."

Our audit was conducted in accordance with the "Government Auditing Standards," issued by the Comptroller General of the United States. Accordingly, we included such tests of records and other auditing procedures that were considered necessary under the circumstances. As part of our audit, we reviewed the Department of the Interior's Accountability Report for fiscal year 1996, which includes information required by the Federal Managers' Financial Integrity Act of 1982, and the Bureau's annual assurance statement for fiscal year 1997 to determine whether any reported weaknesses were within the objective and scope of our review. We found that a material weakness was reported by the Bureau relating to inadequate range monitoring data. To resolve this weakness, the Bureau issued Instruction Memorandum No. 96- 172, "Implementing Standards of Rangeland Health and Guidelines for Grazing Management," and conducted a workshop on implementation of the new standards and guidelines for rangeland health.

PRIOR AUDIT COVERAGE

Neither the Office of Inspector General nor the General Accounting Office has issued any audit reports during the past 5 years on the Bureau's Rangeland Management Program.

DISCUSSION

We concluded that, overall, the Resource Advisory Councils worked effectively with the Bureau of Land Management. Specifically, they assisted in developing standards and guidelines for rangeland health, represented and reached consensus among diverse public interest groups, and advised the Bureau concerning land use decisions. However, we also noted that all Council members had not received the training required by the Code of Federal Regulations (43 CFR 1780). In addition, we found that representatives from other Federal agencies which had land within the authorized boundaries⁴ of the Councils were not involved in the process except in Oregon/Washington and that the Wyoming Council had not been rechartered.

⁴Under the Code (43 CFR 1784.61), the Councils, as determined by the Bureau State Director, in consultation with the Governor and other interested parties, may be formed on the basis of state boundaries, Bureau districts, or "ecoregions."

Standards

The Code of Federal Regulations (43 CFR 1780 and 4100) established the Resource Advisory Councils with the objective of providing advice to the Department and the Bureau on formulating standards and guidelines and executing plans and programs for the use and management of public lands. Of the 13 states that had existing Councils, we found that only California and New Mexico did not have standards approved by the Secretary of the Interior. However, the standards for both states were being reviewed by the Secretary, and the Bureau indicated that the standards should be approved by the end of 1998. Even though each state developed its own standards and guidelines for rangeland health, we believe that the Bureau's new standards and guidelines for rangeland health should be reviewed by the National Research Council to independently evaluate the effectiveness of these standards and guidelines. As such, we suggest that the Bureau coordinate its efforts with the National Research Council and the U.S. Forest Service to develop, test, and establish indicators of rangeland health that will be accepted on a national basis.

Consensus

The Code (43 CFR 1780) requires the Councils to represent a balance of diverse interest groups concerned with rangeland management and express public concerns on land policy issues. A primary function of the Resource Advisory Councils is to represent and reach consensus among diverse interest groups. We concluded that the Councils had been successful in achieving this requirement, as shown in the following examples:

- For the past 2 years, the Alaska Resource Advisory Council has focused its efforts on conflicts between state and Federal management of mining activities along the Fortymile River, which is designated as a wild and scenic river. For example, the Council worked with the Bureau and the State of Alaska to find a solution involving policy interpretations that allowed miners to camp while working their claims rather than to propose changes in regulations or in the wild and scenic river designation.

- The Dakotas Resource Advisory Council reached consensus on a number of issues, including rehabilitating the Bear Butte Creek watershed in South Dakota; supporting a land exchange between the Bureau and the State of North Dakota; and supporting the completion of the Meridian Oil, Bureau, and U.S. Forest Service mineral exchange in North Dakota.

Land Use Decisions

The Code (43 CFR 1780) requires the Councils to advise the Bureau on land use decisions. We found that the ability of the Resource Advisory Councils to reach consensus had facilitated the Bureau's ability to make land use policy decisions that protect the rangelands while making the lands open to multiple use, as shown in the following examples by state:

- The Arizona Resource Advisory Group is helping the Bureau develop the Arizona Recreation Strategy. This strategy focuses on recreation and tourism-related issues and addresses issues affecting the use of public lands and those affecting the quality of life in the communities located near public land.

- The California Desert District Advisory Board provided advice on (1) implementation of wilderness designations resulting from the 1994 California Desert Protection Act, (2) establishment of recreation user fees, (3) filming on public lands, (4) management and use of off-highway vehicles, (5) controversial landfill proposals at Eagle Mountain and Mesquite, (6) proposed mining operations, and (7) problems associated with burros on public lands near the Colorado River.

- The Colorado Front Range Resource Advisory Council provided advice to the Bureau on issues, including grazing trespass, grazing standards and guideline implementation, and recreation use. The Council also assisted the Bureau's Canon City District in resolving a conflict with a business involved in a jointly managed recreation area. The Southwest Resource Advisory Council recommended that the Bureau testify in support of proposed legislation which would create the Black Canyon National Park Complex if the legislation included a wilderness designation for Gunnison Gorge.

- After viewing the problem areas within the watershed and visiting with involved parties, the Upper Columbia-Salmon Clear-water Advisory Council made recommendations to the Bureau that will help implement the Interior Columbia Basin Ecosystem Management Project. In addition, the Lower Snake River Advisory Council has provided advice to the Bureau on issues related to a U.S. Air Force proposal for military training in Idaho, the Bureau's Final Resource Management Plan for the Owyhee Resource Area in Idaho, and fire rehabilitation progress in the Boise Foothills.

The overall effectiveness of Resource Advisory Councils was further illustrated in an interactive satellite broadcast presented by the Bureau on February 20, 1998, to the Resource Advisory Councils. The broadcast entitled "RACs [Resource Advisory Councils]: Partners Across the West" provided an opportunity for Council members to participate in an exchange with the Secretary of the Interior, the Assistant Secretary for Land and Minerals Management, the Bureau Director, and a panel of Council members. In the presentation, the Secretary of the Interior, in effect, expanded the role of the Councils by suggesting that they also focus on solving other public land issues, such as implementing the Federal fire management policy adopted by the Departments of the Interior and of Agriculture, combating invasive weeds, applying standards and guidelines to other resources (such as watershed and recreation management), and improving the land exchange process.

Training

The Code (43 CFR 1780) requires Council members to attend instructional training in management of rangelands that has been approved by the appropriate Bureau State Director. However, we found that new Council members were not receiving training on rangeland

ecosystems, as required by the revised grazing regulations. Specifically, 7 of the 10 new members on Colorado's two Councils had not received any training on rangeland ecosystems. Additionally, at least 1 new member on each of 11 other Councils also had not received this training. Bureau officials said that they did not believe that new members needed the training because the original members had completed the development of the standards and guidelines. We suggest that the Bureau provide training on rangeland ecosystems to all Council members because the Councils are still developing standards and guidelines for other resource areas.

Participation

The Code (43 CFR 1780) does not require representatives from other Federal agencies that have land within the boundaries of the Councils to participate with the Bureau and the Councils in land use decisions; however, the final rule for the Code states, "The RACs [Resource Advisory Councils] will advise the Secretary and BLM [Bureau of Land Management] - and other agencies as appropriate - on matters relating to multiple use issues associated with public lands and resources." We believe that having other agencies participate in the Council process is advantageous to the Bureau and the other agencies. For example, we found that in Oregon and Washington, the U.S. Forest Service is a full partner in the Council's advisory process. The Southeast Oregon Council's boundaries include all or portions of three Bureau field offices and four National Forest Districts. At the time of our review, the Council was addressing the issues of prescribed fires,⁵ water quality, and noxious weeds⁶ for both agencies. We suggest that the Bureau encourage participation from other Federal agencies as part of the Council's advisory process.

Wyoming Council

The Code (43 CFR 1780) requires Councils to be established to improve the management of public rangelands. However, the Wyoming Council has not been rechartered since 1996. As a result, there is no forum available for the public to participate in the Bureau's land use policy decisions other than to respond to environmental impact statements and environmental assessments, which require notices to be published in local newspapers and the "Federal Register." We suggest that the Bureau increase its efforts to reestablish the Wyoming Council.

On April 7, 1998, we held an exit conference with Bureau officials. In general, the Bureau concurred with the results of our audit. Additionally, we provided a preliminary **draft** of this report to the Bureau on July 31, 1998. The Bureau did not comment on the preliminary draft. Because this report does not contain any recommendations, a response is not required.

⁵As defined by the Society of Rangeland Management, prescribed fires (burning) are a management tool used under specific conditions for burning a predetermined area.

⁶As defined by the Society of Rangeland Management, noxious weeds (species) are undesirable because they conflict, restrict, or otherwise cause problems under the management objectives.

The legislation, as amended, creating the Office of Inspector General requires semiannual reporting to the Congress on all audit reports issued, actions taken to implement audit recommendations, and identification of each significant recommendation on which corrective action has not been taken.

We appreciate the assistance of Bureau personnel in the conduct of our review.

RESOURCE ADVISORY COUNCILS

<u>State</u>	<u>Resource Advisory Councils¹</u>
Alaska	Alaska Resource Advisory Council
Arizona	Arizona Resource Advisory Council
California	California Desert District Resource Advisory Council ² Central California Resource Advisory Council Northeastern California Resource Advisory Council Northwestern California Resource Advisory Council
Colorado	Front Range Resource Advisory Council Northwest Resource Advisory Council Southwest Resource Advisory Council
Idaho	Lower Snake River Resource Advisory Council Upper Snake River Resource Advisory Council Upper Columbia/Salmon Clear-water Resource Advisory Council
Montana/North Dakota and South Dakota	Butte Resource Advisory Council Dakotas Resource Advisory Council Lewistown Resource Advisory Council Miles City Resource Advisory Council
Nevada	Mojave-Southern Great Basin Resource Advisory Council Northeastern Great Basin Resource Advisory Council Sierra-Front Northwestern Great Basin Resource Advisory Council
New Mexico	New Mexico Resource Advisory Council
Oregon/Washington	Eastern Washington Resource Advisory Council John Day-Snake Resource Advisory Council Southeast Oregon Resource Advisory Council
Utah	Utah Resource Advisory Council

¹The Wyoming Resource Advisory Council has not been rechartered since the summer of 1996.

²The California Desert District Advisory Council was specifically required by the Federal Land Policy and Management Act of 1976 and was established in 1980.

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